

Foreign officials have been not-so-cordially invited to cancel visits to Cuba because they had dared to suggest that there is room for improvement in Cuba's human rights record.

Therefore, Castro is essentially criminalizing contact with the Cuban people and trying to bully democratic countries into abandoning their principles—and thereby abandoning the Cuban people.

We won't be bullied—and our allies in Europe and Latin America must not let themselves be bullied either.

It is against this back-drop that I am joining Senator LIEBERMAN and a distinguished, bipartisan group of my colleagues today in introducing a resolution regarding the human rights situation in Cuba, a resolution that is designed to give momentum to efforts to pass a U.N. Human Rights Commission resolution on Cuba when it convenes in Geneva this month.

It is also designed to give momentum to a more pro-active and creative U.S. policy of working with the Cuban dissident community modeled on President Reagan's successful efforts to help Poland's Solidarity Movement work for change during the cold war.

Most importantly, it is a message to remind the Cuban people that the United States stands solidly with them in their peaceful struggle for freedom. I am confident that other Senators will want to join Senator LIEBERMAN in supporting this important resolution.

#### SENATE RESOLUTION 63—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE MEN AND WOMEN WHO HAVE LOST THEIR LIVES WHILE SERVING AS LAW ENFORCEMENT OFFICERS

Mr. CAMPBELL (for himself, Mr. HATCH, Mr. LEAHY, Mr. THURMOND, Mr. NICKLES, Mr. GREGG, Mr. HUTCHINSON, Mr. MILLER, Mrs. HUTCHISON, Mr. BIDEN, Mr. GRAMM, Mr. HELMS, Mr. BROWBACK, Mr. COCHRAN, Mr. BINGAMAN, Mr. BOND, Mr. FRIST, Mr. INHOFE, Mr. ALLARD, Mr. DORGAN, Mr. EDWARDS, Mr. BYRD, Mr. REID, Mr. BAYH, Mr. AKAKA, Mr. DURBIN, Mr. DEWINE, Mr. THOMAS, Mr. CRAPO, Mr. DAYTON, Mr. SARBANES, Mr. KENNEDY, Mrs. BOXER, Mr. LEVIN, and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 63

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 700,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of peace;

Whereas peace officers are on the front line in preserving the right of the children of the United States to receive an education in a crime-free environment, a right that is all too often threatened by the insidious fear caused by violence in schools;

Whereas 150 peace officers lost their lives in the line of duty in 2000, and a total of

nearly 15,000 men and women serving as peace officers have now made that supreme sacrifice;

Whereas every year, 1 in 9 peace officers is assaulted, 1 in 25 peace officers is injured, and 1 in 4,400 peace officers is killed in the line of duty; and

Whereas, on May 15, 2001, more than 15,000 peace officers are expected to gather in the Nation's Capital to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 15, 2001, as Peace Officers Memorial Day, in honor of Federal, State, and local officers killed or disabled in the line of duty; and

(2) calls upon the people of the United States to observe this day with appropriate ceremonies and respect.

Mr. CAMPBELL. Mr. President, today I am joined by the Chairman and Ranking Member of the Senate Judiciary Committee, Senators HATCH and LEAHY, along with 34 other Senators in introducing this resolution to keep alive in the memory of all Americans the sacrifice and commitment of those law enforcement officers who lost their lives serving their communities. Specifically, this resolution would designate May 15, 2001, as National Peace Officers Memorial Day.

As a former deputy sheriff, I know first-hand the risks which law enforcement officers face everyday on the front lines protecting our communities. Currently, more than 700,000 men and women who serve this nation as our guardians of law and order do so at a great risk. Every year, about 1 in 9 officers is assaulted, 1 in 25 officers is injured, and 1 in 4,400 officers is killed in the line of duty. There are few communities in this country that have not been impacted by the words: "officer down."

In 2000, approximately 150 federal, state and local law enforcement officers have given their lives in the line of duty. This represents more than a 10 percent rise in police fatalities over the previous year. And, nearly 15,000 men and women have made the supreme sacrifice.

The Chairman of the National Law Enforcement Officers Memorial Fund, Craig W. Floyd, reminds us, "Despite improved equipment and better training, law enforcement remains the deadliest profession in America. On average, one officer is killed somewhere in America every 57 hours. At the very least, we must ensure that those officers, and their families, are never forgotten."

On May 15, 2001, more than 15,000 peace officers are expected to gather in our Nation's Capital to join with the families of their fallen comrades who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities. In doing so, these heroes have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. This resolution is a fitting tribute for this special and solemn occasion.

I urge my colleagues to join us in supporting passage of this important resolution.

Mr. HUTCHINSON. Mr. President, I am proud to rise today as an original cosponsor of Senator CAMPBELL's resolution designating May 15, 2001, as Peace Officers Memorial Day. I commend Senator CAMPBELL for his efforts to honor these brave men and women, and thank all of our Nation's law enforcement officials and their families for the daily sacrifices they make as they work to enforce our Nation's laws and ensure the safety of all American citizens.

According to the Federal Bureau of Investigation, 107 law enforcement officers lost their lives in the line of duty in 1999. Forty-two of these officers were killed feloniously and 65 died accidentally. An additional 55,026 officers were assaulted in the line of duty.

From 1990 to 1999, 28 Arkansas law enforcement officers lost their lives in the line of duty. Eleven of these officers were feloniously killed and 16 died accidentally. During the year 2000, Patrol Officer Lewis D. Jones, Jr. of the Forrest City Police Department and Captain Thomas Allen Craig of the Arkansas State Police lost their lives, and in the current year, Trooper Herbert J. Smith of the Arkansas State Police was killed in a car accident while rushing to assist a sick child.

Accordingly, I offer my condolences to the families and friends of Patrol Officer Jones, Captain Craig, Trooper Smith, and all of the other law enforcement officials who have died in the line of duty. I am deeply appreciative of their sacrifices and am sorry for their loss.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 137. Mr. COCHRAN proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

SA 138. Mr. WYDEN (for himself, Ms. COLLINS, Mr. BINGAMAN, and Mr. LEVIN) proposed an amendment to the bill S. 27, supra.

SA 139. Mr. MCCONNELL (for Mr. NICKLES (for himself and Mr. GREGG)) proposed an amendment to the bill S. 27, supra.

SA 140. Mr. SPECTER proposed an amendment to the bill S. 27, supra.

SA 141. Mr. HELMS proposed an amendment to the bill S. 27, supra.

SA 142. Mr. GRAMM proposed an amendment to the bill S. 143, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes.

SA 143. Mr. GRAMM (for himself, Mr. THOMPSON, Mr. COCHRAN, Mr. VOINOVICH, and Mr. SCHUMER) proposed an amendment to the bill S. 143, supra.

#### TEXT OF AMENDMENTS

SA 137. Mr. COCHRAN proposed an amendment to the bill S. 27, to amend

the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 38, after line 3, add the following:

**TITLE V—ADDITIONAL DISCLOSURE PROVISIONS**

**SEC. 501. INTERNET ACCESS TO RECORDS.**

Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended to read as follows:

“(B) The Commission shall make a designation, statement, report, or notification that is filed with the Commission under this Act available for inspection by the public in the offices of the Commission and accessible to the public on the Internet not later than 48 hours (24 hours in the case of a designation, statement, report, or notification filed electronically) after receipt by the Commission.”.

**SEC. 502. MAINTENANCE OF WEBSITE OF ELECTION REPORTS.**

(a) IN GENERAL.—The Federal Election Commission shall maintain a central site on the Internet to make accessible to the public all election-related reports.

(b) ELECTION-RELATED REPORT.—In this section, the term “election-related report” means any report, designation, or statement required to be filed under the Federal Election Campaign Act of 1971.

(c) COORDINATION WITH OTHER AGENCIES.—Any executive agency receiving an election-related report shall cooperate and coordinate with the Federal Election Commission to make such report available for posting on the site of the Federal Election Commission in a timely manner.

**SA 138.** Mr. WYDEN (for himself, Ms. COLLINS, Mr. BINGAMAN, and Mr. LEVIN) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON AVAILABILITY OF LOWEST UNIT CHARGE FOR FEDERAL CANDIDATES ATTACKING OPPOSITION.**

(a) IN GENERAL.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by this Act, is amended by adding at the end the following:

“(3) CONTENT OF BROADCASTS.—

“(A) IN GENERAL.—In the case of a candidate for Federal office, such candidate shall not be entitled to receive the rate under paragraph (1)(A) for the use of any broadcasting station unless the candidate provides written certification to the broadcast station that the candidate (and any authorized committee of the candidate) shall not make any direct reference to another candidate for the same office, in any broadcast using the rights and conditions of access under this Act, unless such reference meets the requirements of subparagraph (C) or (D).

“(B) LIMITATION ON CHARGES.—If a candidate for Federal office (or any authorized committee of such candidate) makes a reference described in subparagraph (A) in any broadcast that does not meet the requirements of subparagraph (C) or (D), such candidate shall not be entitled to receive the rate under paragraph (1)(A) for such broadcast or any other broadcast during any portion of the 45-day and 60-day periods described in paragraph (1)(A), that occur on or after the date of such broadcast, for election to such office.

“(C) TELEVISION BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a television broadcast, at the end of such broadcast there appears si-

multaneously, for a period no less than 4 seconds—

“(i) a clearly identifiable photographic or similar image of the candidate; and

“(ii) a clearly readable printed statement, identifying the candidate and stating that the candidate has approved the broadcast.

“(D) RADIO BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a radio broadcast, the broadcast includes a personal audio statement by the candidate that identifies the candidate, the office the candidate is seeking, and indicates that the candidate has approved the broadcast.

“(E) CERTIFICATION.—Certifications under this section shall be provided and certified as accurate by the candidate (or any authorized committee of the candidate) at the time of purchase.

“(F) DEFINITIONS.—For purposes of this paragraph, the terms ‘authorized committee’ and ‘Federal office’ have the meanings given such terms by section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).”.

(b) CONFORMING AMENDMENT.—Section 315(b)(1)(A) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)(A)), as amended by this Act, is amended by inserting “subject to paragraph (3),” before “during the forty-five days”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to broadcasts made after the date of enactment of this Act.

**SA 139.** Mr. MCCONNELL (for Mr. NICKLES (for himself and Mr. GREGG)) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

Beginning on page 35, strike line 8 and all that follows through page 37, line 14.

Mr. WELLSTONE. Mr. President, I do not oppose this amendment, but, as several of my colleagues have noted, it is for reasons far different than the sponsors of this amendment have put forward.

This amendment deletes Section 304 of the campaign finance reform bill. That section does two things. First, it affirms the obligation that Beck places on unions to afford non-members who pay fees under a union security clause the opportunity to object to paying for activities unrelated to collective bargaining, contract administration, or grievance adjustment. Second it clarifies the so-called “objection procedures” required. These are obligations placed on unions under current law. Keeping the provisions in the bill or taking them out will not change unions’ lawful obligations to non-members.

Indeed, my understanding is that provisions such as Section 304 have been inserted in campaign finance reform measures for quite some time largely because some of my colleagues wanted assurance that unions would obey the law. The fact is that Beck has been the law for almost 13 years. Since Beck became law every union has created procedures to ensure the necessary opt-out procedures. This demonstrates to me that the provision is unnecessary—and has been for some time.

I do, however, want to take issue with the Senator from Kentucky’s statement to the effect that Section 304 as currently drafted “eviscerates” Beck. The Beck Court did not reach the conclusions my colleague suggests. What the Court concluded was that unions were not permitted “over the objections of dues-paying nonmember employees, to expend funds so collected on activities unrelated to collective bargaining, contract administration, or grievance adjustment . . .” Hence it created the obligation on the part of the unions to offer opportunities to object and objection procedures that, as noted, are the subject of Section 304.

In sum, since Beck is the current law, and Section 304 does not change that fact, I have no objections to removing it from the bill.

**SA 140.** Mr. SPECTER proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 7, line 24, after “and”, insert the following: “which, when read as a whole, in the context of external events, is unmistakable, unambiguous and suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate.”

On page 15, line 20, insert the following:

“(iv) promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate) and which, when read as a whole, and in the context of external events, is unmistakable, unambiguous and suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate.”

On page 2, after the matter preceding line 1, insert:

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) In the twenty-five years since the 1976 Supreme Court decision in *Buckley v. Valeo*, the number and frequency of advertisements increased dramatically which clearly advocate for or against a specific candidate for Federal office without magic words such as “vote for” or “vote against” as prescribed in the *Buckley* decision.

(2) The absence of the magic words from the *Buckley* decision has allowed these advertisements to be viewed as issue advertisements, despite their clear advocacy for or against the election of a specific candidate for Federal office.

(3) By avoiding the use of such terms as “vote for” and “vote against,” special interest groups promote their views and issue positions in reference to particular elected officials without triggering the disclosure and source restrictions of the Federal Election Campaign Act.

(4) In 1996, an estimated \$135 million was spent on such issue advertisements; the estimate for 1998 ranged from \$275–\$340 million; and, for the 2000 election the estimate for spending on such advertisements exceeded \$340 million.

(5) If left unchecked, the explosive growth in the number and frequency of advertisements that are clearly intended to influence the outcome of Federal elections yet are masquerading as issue advocacy has the potential to undermine the integrity of the electoral process.

(6) The Supreme Court in *Buckley* reviewed the legislative history and purpose of the

Federal Election Campaign Act and found that the authorized or requested standard of the Federal Election Campaign Act operated to treat all expenditures placed in cooperation with or with the consent of a candidate, an agent of the candidate, or an authorized committee of the candidate as contributions subject to the limitations set forth in the Act.

(7) During the 1996 Presidential primary campaign the Clinton Committee and the Dole Committee both spent millions of dollars in excess of the overall Presidential primary spending limit that applied to each of their campaigns, and in doing so, used millions of dollars in soft money contributions that could not legally be used directly to support a Presidential campaign.

(8) The Clinton and Dole Committees made these campaign expenditures through their respective national political party committees, using these party committees as conduits to run multi-million dollar television ad campaigns to support their candidacies.

(9) These television ad campaigns were in each case prepared, directed, and controlled by the Clinton and Dole campaigns.

(10) Former Clinton adviser Dick Morris said in his book about the 1996 elections that president Clinton worked over every script, watched each advertisement, and decided which advertisements would run where and when.

(11) Then-President Clinton told supporters at a Democratic National Committee luncheon on December 7, 1995, that, "We realized that we could run these ads through the Democratic Party, which meant that we could raise money in \$20,000 and \$50,000 blocks. So we didn't have to do it all in \$1,000 and run down what I can spend, which is limited by law so that is what we've done."

(12) Among the advertisements coordinated between the Clinton campaign and the Democratic National Committee, yet paid for by the DNC as an issue ad, was one which contained the following: [Announcer] "60,000 felons and fugitives tried to buy handguns that couldn't because President Clinton passed the Brady bill—five day waits, background checks. But Dole and Gingrich voted no. 100,000 new police—because President Clinton delivered. Dole and Gingrich? Vote no, want to repeal 'em. Strengthen school anti-drug programs. President Clinton did it. Dole and Gingrich? No again. Their old ways don't work. President Clinton's plan. The new way. Meeting our challenges, protecting our values."

(13) Another advertisement coordinated between the Clinton campaign and the DNC contained the following: [Announcer] "America's values. Head start. Student loans. Toxic cleanup. Extra police. Protected in the budget agreement; the President stood firm. Dole, Gringrich's latest plan includes tax hikes on working families. Up to 18 million children face health care cuts. Medicare slashed \$167 billion. Then Dole resigns, leaving behind gridlock he and Gringrich created. The President's plan: Politics must wait. Balance the budget, reform welfare, protect our values."

(14) Among the advertisements coordinated between the Dole campaign and the Republican National Committee, yet paid for by the RNC as an issue ad, was one which contained the following:

[Announcer] "Bill Clinton, he's really something. He's now trying to avoid a sexual harassment lawsuit claiming he is on active military duty. Active duty? Newspapers report that Mr. Clinton claims as commander-in-chief he is covered under the Soldiers and Sailors Relief Act of 1940, which grants automatic delays in lawsuits against military personnel until their active duty is over. Active duty? Bill Clinton, he's really something."

(15) Another advertisement coordinated between the Dole campaign and the RNC contained the following:

[Announcer] "Three years ago, Bill Clinton gave us the largest tax increase in history, including a 4 cent a gallon increase on gasoline. Bill Clinton said he felt bad about it."

[Clinton] "People in this room still get mad at me over the budget process because you think I raised your taxes too much. It might surprise you to know I think I raised them too much, too."

[Announcer] "OK, Mr. President, we are surprised. So now, surprise us again. Support Senator Dole's plan to repeal your gas tax. And learn that actions do speak louder than words."

(16) Clinton and Dole Committee agents raised the money used to pay for these so-called issue ads supporting their respective candidacies.

(17) These television advertising campaigns, run in the guise of being DNC and RNC issue ad campaigns, were in fact Clinton and Dole ad campaigns, and accordingly should have been subject to the contribution and spending limits that apply to Presidential campaigns.

(18) After reviewing spending in the 1996 Presidential election campaign, auditors for the Federal Election Commission recommended that the 1996 Clinton and Dole campaigns repay \$7 million and \$17.7 million, respectively, because the national political parties had closely coordinated their soft money issue ads with the respective presidential candidates and accordingly, the expenditures would be counted against the candidates' spending limits. The repayment recommendation for the Dole campaign was subsequently reduced to \$6.1 million.

(19) On December 10, 1998, in a 6-0 vote, the Federal Election Commission rejected its auditors' recommendation that the Clinton and Dole campaigns repay the money.

(20) The pattern of close coordination between candidates' campaign committees and national party committees continued in the 2000 Presidential election.

(21) An advertisement financed by the RNC contained the following:

[Announcer] "Whose economic plan is best for you? Under George Bush's plan, a family earnings under \$35,000 a year pays no Federal income taxes—a 100 percent tax cut. Earn \$35,000 to \$50,000? A 55 percent tax cut. Tax relief for everyone. And Al Gore's plan: three times the new spending President Clinton proposed, so much it wipes out the entire surplus and creates a deficit again. Al Gore's deficit spending plan threatens America's prosperity."

(22) Another advertisement financed by the RNC contained the following:

[Announcer] "Under Clinton-Gore, prescription drug prices have skyrocketed, and nothing's been done. George Bush has a plan: add a prescription drug benefit to Medicare."

[George Bush] "Every senior will have access to prescription drug benefits."

[Announcer] "And Al Gore? Gore opposed bipartisan reform. He's pushing a big government plan that lets Washington bureaucrats interfere with what your doctors prescribe. The Gore prescription plan: bureaucrats decide. Bush prescription plan: seniors choose."

(23) An advertisement paid for by the DNC contained the following:

[Announcer] "When the national minimum wage was raised to \$5.15 an hour, Bush did nothing and kept the Texas minimum wage at \$3.35. Six times the legislature tried to raise the minimum wage and Bush's inaction helped kill it. Now Bush says he'd allow states to set a minimum wage lower than the Federal standard. Al Gore's plan: Make sure our current prosperity enriches not just a

few, but all families. Increase the minimum wage, invest in education, middle-class tax cuts and a secure retirement."

(24) Another advertisement paid for by the DNC contained the following:

[Announcer] "George W. Bush chose Dick Cheney to help lead the Republican party. What does Cheney's record say about their plans? Cheney was one of only eight members of Congress to oppose the Clean Water Act . . . one of the few to vote against Head Start."

He even voted against the School Lunch Program . . . against health insurance for people who lost their jobs. Cheney, an oil company CEO, said it was good for OPEC to cut production so oil and gasoline prices could rise. What are their plans for working families?"

(25) On January 21, 2000, the Supreme Court in *Nixon v. Shrink Missouri Government PAC* noted, "In speaking of 'improper influence' and 'opportunities for abuse' in addition to 'quid pro quo arrangements,' we recognized a concern to the broader threat from politicians too compliant with the wishes of large contributors."

(26) The details of corruption and the public perception of the appearance of corruption have been documented in a flood of books, including:

(A) *Backroom Politics: How Your Local Politicians Work, Why Your Government Doesn't, and What You Can Do About It*, by Bill and Nancy Boyarsky (1974);

(B) *The Pressure Boys: The Inside Story of Lobbying in America*, by Kenneth Crawford (1974);

(C) *The American Way of Graft: A Study of Corruption in State and Local Government, How it Happens and What Can Be Done About it*, by George Amick (1976);

(D) *Politics and Money: The New road to Corruption*, by Elizabeth Drew (1983);

(E) *The Threat From Within: Unethical Politics and Politicians*, by Michael Kroenwetter (1986);

(F) *The Best Congress Money Can Buy*, by Philip M. Stern (1988);

(G) *Combating Fraud and Corruption in the Public Sector*, by Peter Jones (1993);

(H) *The Decline and Fall of the American Empire: Corruption, Decadence, and the American Dream*, by Tony Bouza (1996);

(I) *The Pursuit of Absolute Integrity: How Corruption Control Makes Government Ineffective*, by Frank Aneciarico and James B. Jacobs (1996);

(J) *The Political Racket: Deceit, Self-Interest, and Corruption in American Politics*, by Martin L. Gross (1996).

(K) *Below the Beltway: Money, Power, and Sex in Bill Clinton's Washington*, by John L. Jackley (1996);

(L) *End Legalized Bribery: An Ex-Congressman's Proposal to Clean Up Congress*, by Cecil Heftel (1998);

(M) *Year of the Rat: How Bill Clinton Compromised U.S. Security for Chinese Cash*, by Edward Timperlake and William C. Triplett, II (1998);

(N) *The Corruption of American Politics: What Went Wrong and Why*, by Elizabeth Drew (1999);

(O) *Corruption, Public Finances, and the Unofficial Economy*, by Simon Johnson, Daniel Kaufmann, and Pablo Zoido-Lobato (1999); and

(P) *Party Finance and Political Corruption*, edited by Robert Williams (2000);

(27) The Washington Post reported on September 15, 2000 that a group of Texas trial lawyers with whom former Vice President Gore met in 1995, contributed thousands of dollars to the Democrats after President Clinton vetoed legislation that would have strictly limited the amount of damages juries can award to plaintiffs in civil lawsuits.

(28) According to an article in the March 26, 2001 edition of U.S. News and World Report, labor-related groups—which count on their Democratic allies for support on issues such as the minimum wage that are important to unions—spent more than \$83.5 million in the 2000 elections, with 94 percent going to Democrats, prompting some labor figures to brag that without labor's money, the election would not have been nearly as close.

(29) A New York Times editorial from March 16, 2001, observed that “Business interests generously supported Republicans in the last election and are now reaping the rewards. President Bush and Republican Congressional leaders have moved to rescind new Labor Department ergonomics rules aimed at fostering a safer workplace, largely because business considered them too costly. Congress is also revising bankruptcy law in a way long sought by major financial institutions that gave Republicans \$26 million in the last election cycle.”

(30) A New York Times article, from March 13, 2001, noted that “A lobbying campaign led by credit card companies and banks that gave millions of dollars in political donations to members of Congress and contributed generously to President Bush’s 2000 campaign is close to its long-sought goal of overhauling the nation’s bankruptcy system.”

(31) According to a Washington Post article from March 11, 2001, when congressional GOP leaders took control of the final writing of the bankruptcy bill, they consulted closely with representatives of the American Financial Services Association and the Coalition for Responsible Bankruptcy, which represented dozens of corporations and trade groups. The 442-page bill contained hundreds of provisions written or backed by lobbyists for financial industry giants.

(32) It has become common practice to reward big campaign donors with ambassadorships, with an informal policy dating back to the 1960s allocating about 30 percent of the nation’s ambassadorships to non-career appointees. According to a Knight Rider article from November 13, 1997, former President Nixon once told his White House Chief of Staff that “Anybody who wants to be an ambassador must at least give \$250,000.”

**SA 141.** Mr. HELMS proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DISCLOSURE OF EXPENDITURES BY LABOR ORGANIZATIONS.**

Section 8 of the National Labor Relations Act (29 U.S.C. 158), is amended by adding at the end the following:

“(i) NOTICE TO MEMBERS AND EMPLOYEES.—A labor organization shall, on an annual basis, provide (by mail) to each employee who, during the year involved, pays dues, initiation fees, assessments, or other payments as a condition of membership in the labor organization or as a condition of employment (as provided for in subsection (a)(3)), a notice that includes the following statement: ‘You have the right to withhold the portion of your dues that is used for purposes unrelated to collective bargaining. The United States Supreme Court has ruled that labor organizations cannot force dues-paying or fees-paying non-members to pay for activities that are unrelated to collective bargaining. You have the right to resign from the labor organization and, after such resignation, to pay reduced dues or fees in accordance with the decision of the Supreme Court.’”

**SA 142.** Mr. GRAMM proposed an amendment to the bill S. 143, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes; as follows:

Insert the following new section 8 at the end of the bill:

**“SEC. 8. STUDY OF THE EFFECT OF FEE REDUCTIONS.**

“(a) STUDY.—The Office of Economic Analysis of the Securities and Exchange Commission (hereinafter referred to as the “Office”) shall conduct a study of the extent to which the benefits of reductions in fees effected as a result of this Act are passed on to investors.

“(b) FACTORS FOR CONSIDERATION.—In conducting the study under subsection (a), the Office shall—

“(1) consider all of the various elements of the securities industry directly and indirectly benefiting from the fee reductions, including purchasers and sellers of securities, members of national securities exchanges, issuers, broker-dealers, underwriters, participants in investment companies, retirement programs, and others;

“(2) evaluate the impact on different types of investors, such as individual equity holders, individual investment company shareholders, businesses, and other types of investors;

“(3) include in the interpretation of the term “investor” shareholders of entities subject to the fee reductions; and

“(4) consider the economic benefits to investors flowing from the fee reductions to include such factors as market efficiency, expansion of investment opportunities, and enhanced liquidity and capital formation.

“(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Securities and Exchange Commission shall submit to the Congress the report prepared by the Office on the results of the study conducted under subsection (a).”

**SA 143.** Mr. GRAMM (for himself, Mr. THOMPSON, Mr. COCHRAN, Mr. VOINOVICH, and Mr. SCHUMER) proposed an amendment to the bill S. 143, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes; as follows:

On page 41, line 8, strike all through page 44, line 16, and insert the following:

**SEC. 6. COMPARABILITY PROVISIONS.**

(a) COMMISSION DEMONSTRATION PROJECT.—Subpart C of part III of title 5, United States Code, is amended by adding at the end the following:

**“CHAPTER 48—AGENCY PERSONNEL DEMONSTRATION PROJECT**

“Sec.

“4801. Nonapplicability of chapter 47.

“4802. Securities and Exchange Commission.

“§ 4801. Nonapplicability of chapter 47.

“Chapter 47 shall not apply to this chapter.

“§ 4802. Securities and Exchange Commission

“(a) In this section, the term ‘Commission’ means the Securities and Exchange Commission.

“(b) The Commission may appoint and fix the compensation of such officers, attorneys,

economists, examiners, and other employees as may be necessary for carrying out its functions under the securities laws as defined under section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

“(c) Rates of basic pay for all employees of the Commission may be set and adjusted by the Commission without regard to the provisions of chapter 51 or subchapter III of chapter 53.

“(d) The Commission may provide additional compensation and benefits to employees of the Commission if the same type of compensation or benefits are then being provided by any agency referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) or, if not then being provided, could be provided by such an agency under applicable provisions of law, rule, or regulation. In setting and adjusting the total amount of compensation and benefits for employees, the Commission shall consult with, and seek to maintain comparability with, the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b).

“(e) The Commission shall consult with the Office of Personnel Management in the implementation of this section.

“(f) This section shall be administered consistently with merit system principles.”

(b) EMPLOYEES REPRESENTED BY LABOR ORGANIZATIONS.—To the extent that any employee of the Securities and Exchange Commission is represented by a labor organization with exclusive recognition in accordance with chapter 71 of title 5, United States Code, no reduction in base pay of such employee shall be made by reason of enactment of this section (including the amendments made by this section).

(c) IMPLEMENTATION PLAN AND REPORT.—

(1) IMPLEMENTATION PLAN.—

(A) IN GENERAL.—The Securities and Exchange Commission shall develop a plan to implement section 4802 of title 5, United States Code, as added by this section.

(B) INCLUSION IN ANNUAL PERFORMANCE PLAN AND REPORT.—The Securities and Exchange Commission shall include—

(i) the plan developed under this paragraph in the annual program performance plan submitted under section 1115 of title 31, United States Code; and

(ii) the effects of implementing the plan developed under this paragraph in the annual program performance report submitted under section 1116 of title 31, United States Code.

(2) IMPLEMENTATION REPORT.—

(A) IN GENERAL.—Before implementing the plan developed under paragraph (1), the Securities and Exchange Commission shall submit a report to the Committee on Governmental Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Government Reform and the Committee on Financial Services of the House of Representatives, and the Office of Personnel Management on the details of the plan.

(B) CONTENT.—The report under this paragraph shall include—

(i) evidence and supporting documentation justifying the plan; and

(ii) budgeting projections on costs and benefits resulting from the plan.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—

(A) The table of chapters for part III of title 5, United States Code, is amended by adding at the end of subpart C the following:

“48. Agency Personnel Demonstration Project ..... 4801.”

(B) Section 3132(a)(1) of title 5, United States Code, is amended—

(i) in subparagraph (C), by striking “or” after the semicolon;

(ii) in subparagraph (D), by inserting “or” after the semicolon; and

(iii) by adding at the end the following:

“(E) the Securities and Exchange Commission;”.

(C) Section 5373(a) of title 5, United States Code, is amended—

(i) in paragraph (2), by striking “or” after the semicolon;

(ii) in paragraph (3), by striking the period and inserting “; or”; and

(iii) by adding at the end the following:

“(4) section 4802.”.

(2) AMENDMENT TO SECURITIES AND EXCHANGE ACT OF 1934.—Section 4(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) APPOINTMENT AND COMPENSATION.—The Commission shall appoint and compensate officers, attorneys, economists, examiners, and other employees in accordance with section 4802 of title 5, United States Code.

“(2) REPORTING OF INFORMATION.—In establishing and adjusting schedules of compensation and benefits for officers, attorneys, economists, examiners, and other employees of the Commission under applicable provisions of law, the Commission shall inform the heads of the agencies referred to under section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) and Congress of such compensation and benefits and shall seek to maintain comparability with such agencies regarding compensation and benefits.”.

(3) AMENDMENT TO FIRREA OF 1989.—Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by striking “the Thrift Depositor Protection Oversight Board of the Resolution Trust Corporation”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, March 22, 2001. The purpose of this hearing will be to review the oversight of the Food Safety and Inspection Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 22, 2001, at 9:30 a.m., in open and closed session to receive testimony from the Unified Commanders on their military strategy and operational requirements, in review of the defense authorization request for fiscal year 2002 and the future years' defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and

Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 22, 2001, to conduct a markup of S. 149, the Export Administration Act of 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, March 22, 2001, to hear testimony on Prescription Drugs and Medicare.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 22, 2001, at 10:30 a.m., to hold a member's briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, March 22, 2001, at 2 p.m., in room 485 of the Russell Senate Office Building to conduct a hearing to discuss the goals and priorities of the Member Tribes of the National Congress of the American Indians for the 107th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentations of AMVETS, American Ex-Prisoners of War, the Vietnam Veterans of America, the Retired Officers Association, and the National Association of State Directors of Veterans Affairs. The hearing will be held on Thursday, March 22, 2001, at 10 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection; it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 22, 2001, at 2 p.m., to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, March 22, at 2:30 p.m., to conduct an oversight hearing. The subcommittee

will review the National Park Service's implementation of management policies and procedures to comply with the provisions of title IV of the National Parks Omnibus Management Act of 1998.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be authorized to meet on Thursday, March 22, at 10 a.m., for a hearing entitled, “An Assessment of the D.C. Metropolitan Police Department's Year 2000 Achievements.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON PUBLIC HEALTH

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on “Strengthening the Safety Net: Increasing Access to Essential Health Care Services” during the session of the Senate on Thursday, March 22, 2001, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMPETITIVE MARKET SUPERVISION ACT OF 2001

Mr. GRAMM. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 20, S. 143.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 143) to amend the Securities Act of 1933 and the Securities Exchange Act of 1934, to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

##### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Competitive Market Supervision Act of 2001”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Reduction in registration fee rates; elimination of general revenue component.
- Sec. 3. Reduction in merger and tender fee rates; reclassification as offsetting collections.
- Sec. 4. Reduction in transaction fees; elimination of general revenue component.